1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: 06/22/99 Wanted: As time permits For: Senate Democratic Caucus 6-2257 This file may be shown to any legislator: NO May Contact:					Received By: shoveme Identical to LRB: By/Representing: Walter							
									Drafter: shoveme Alt. Drafters:			
												Subject: Munis - miscellaneous Counties
					Pre To	pic:	· · · · · · · · · · · · · · · · · · ·					
					SDC:	Walter - Cau	cus # 1721,					
Topic:												
Create c	custom zoning	variance, prope	rty in Kenosh	na County			٠					
Instruc	tions:	· · · · · · · · · · · · · · · · · · ·										
See Atta	ached. Conver	: 1999 LRB b00										
 Draftin	g History:				<u></u>							
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required					
/?	shoveme 06/23/99	chanaman 06/23/99										
/1			martykr 06/25/99		lrb_docadmin 06/25/99							
FE Sent	For:			<end></end>								

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Subject:

Munis - miscellaneous

Extra Copies:

Counties

Pre Topic:

SDC:.....Walter - Caucus # 1721,

Topic:

Create custom zoning variance, property in Kenosha County

Instructions:

See Attached. Convert 1999 LRB b0033/1

Drafting History:

Vers.

Drafted

Reviewed

Typed

Submitted

Jacketed

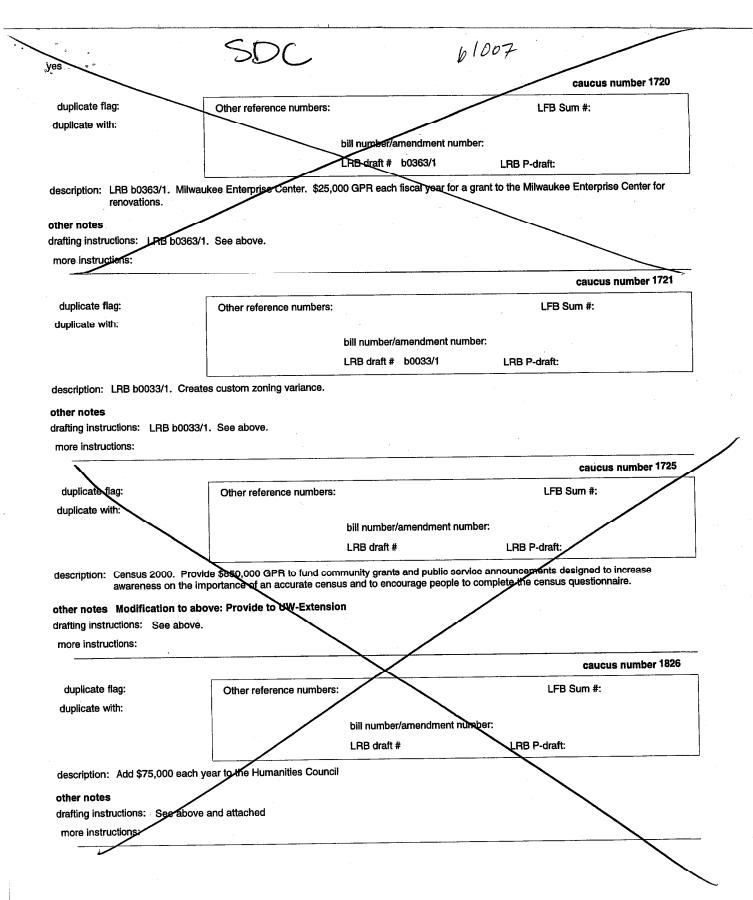
Required

/?

shoveme

FE Sent For:

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State of Misconsin 1999 - 2000 LEGISLATURE

LRBb0033/1 MES:jlg:km

SENATE AMENDMENT, TO 1999 SENATE BILL 45

1	At the locations indicated, amend the bill as follows:
2	1. Page 1438, line 8: after that line insert:
3	"(7c) ZONING VARIANCE. If all of the following conditions apply, no city, village,
4	town or county zoning ordinance, which requires that an improved road be created
5	to subdivide a parcel of property, applies to any parcel of property, the owner of which
6	proposes to subdivide the property:
7	(a) The property is located in a county that was created in 1850 and borders one
8	of the Great Lakes.
9	(b) The property is not more than 5 miles from the border of another state.
10	(c) The property borders a lake.

(d) The owner of the property files a plan of subdivision with the appropri	ate
zoning authorities before January 1, 2000, and that plan provides for the addit	ion
of one additional home to the parcel.".	

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(END)



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State of Misconsin 1999 - 2000 LEGISLATURE

LRBb1007/7
MES...:

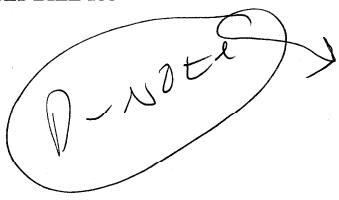
SDC:.....Walter – Caucus # 1721, Create custom zoning variance, property in Kenosha County

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

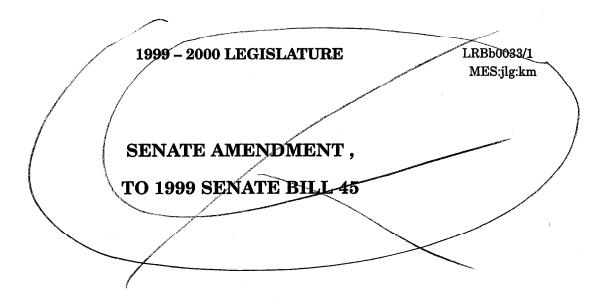
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133



At the locations indicated, amend the substitute amendment as follows:

1. Page 1567, line 21: after that line insert:



At the locations indicated, amend the bill as follows:

Rage 1438, line 8: after that line insert:

"(M) ZONING VARIANCE. If all of the following conditions apply, no city, village,

town or county zoning ordinance, which requires that an improved road be created to subdivide a parcel of property, applies to any parcel of property, the owner of which proposes to subdivide the property:

- (a) The property is located in a county that was created in 1850 and borders one of the Great Lakes.
 - (b) The property is not more than 5 miles from the border of another state.
- (c) The property borders a lake.

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(d) The owner of the property files a plan of subdivision with the appropriate zoning authorities before January 1, 2000, and that plan provides for the addition of one additional home to the parcel.".

4 (END)

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBh06987dn MESchalakar

eny

June 21, 1999

This note is meant to alert you that it is possible that a Wisconsin court would find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single—subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill clearly encompasses more than one subject.

Under Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. IV, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". This proposal people applicable only to the Williams of the way with the state of the statewise concern or interest.

Because it is difficult to predict the potential for and outcome of any court action on this proposal, should it be enacted as part of the budget, you may wish to consider

introducing this proposal as a separate bill.

Marc E. Shovers Senior Legislative Attorney Phone: (608) 266-0129

E-mail: Marc.Shovers@legis.state.wi.us

a particular parcel of property in Henosha County

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBb1007/1dn MES:cmh:km

June 25, 1999

This note is meant to alert you that it is possible that a Wisconsin court would find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single—subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill clearly encompasses more than one subject.

Under Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. IV, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest". This proposal seems to be applicable only to a particular parcel of property in Kenosha County.

Because it is difficult to predict the potential for and outcome of any court action on this proposal, should it be enacted as part of the budget, you may wish to consider introducing this proposal as a separate bill.

Marc E. Shovers Senior Legislative Attorney Phone: (608) 266–0129

E-mail: Marc.Shovers@legis.state.wi.us



State of Misconsin 1999 - 2000 LEGISLATURE

LRBb1007/1 MES:cmh:km

SDC:.....Walter – Caucus # 1721, Create custom zoning variance, property in Kenosha County

For 1999–01 Budget — Not Ready For Introduction

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1999 ASSEMBLY BILL 133

1	At the locations indicated, amend the substitute amendment as follows:			
2	1. Page 1567, line 21: after that line insert:			
3	"(4g) Zoning variance. If all of the following conditions apply, no city, village,			
4	town or county zoning ordinance, which requires that an improved road be created			
5	to subdivide a parcel of property, applies to any parcel of property, the owner of which			
6	proposes to subdivide the property:			
7	(a) The property is located in a county that was created in 1850 and borders one			
8	of the Great Lakes.			
9	(b) The property is not more than 5 miles from the border of another state.			
10	(c) The property borders a lake.			

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(d) The owner of the property files a plan of subdivision with the appropriate zoning authorities before January 1, 2000, and that plan provides for the addition of one additional home to the parcel.".

(END)